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CAUSE NO. 97-00933-I

TRACY NEFF

v.

LANDMARK EDUCATION  
CORPORATION  
AND DAVID GRILL,  
AN INDIVIDUAL

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IN THE DISTRICT COURT

DALLAS COUNTY, TEXAS

162<sup>ND</sup> JUDICIAL DISTRICT

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**AGREED FINAL JUDGMENT AND  
ORDER OF DISMISSAL WITH PREJUDICE**

On the 16<sup>th</sup> day of DECEMBER, 1998 came on to be heard  
the above-entitled and numbered cause, and Plaintiff, Tracy Neff, and  
Defendants, Landmark Education Corporation and David Grill, by and  
through their counsel, appeared and announced that all matters of  
controversy between the Plaintiff herein and Defendants have been settled.

The Court finds that bona fide disputes and controversies exist  
between the parties as to liability and damages, if any, in this Cause. As a  
result of these disputes and controversies, the Court finds that the parties  
have agreed to enter into a settlement to avoid any further costs of litigation.

Related  
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IT IS ORDERED, ADJUDGED AND DECREED by the Court that the amounts payable pursuant to this Order shall constitute damages received on account of personal physical injuries or physical or mental sickness within the meaning of Section 104(a)2 of the Internal Revenue Code of 1986, as amended, and that no portion of the settlement proceeds shall represent exemplary or punitive damages or damages other than actual damages on account of personal physical injuries or physical or mental sickness; and that upon payment of this amount to Plaintiff, David Grill and Landmark Education Corporation, its predecessors, parents, affiliates, subsidiaries, agents, officers, directors, shareholders, successors, assigns, employers, employees, licensees, licensors shall stand duly released and forever discharged of and from all liability whatsoever to Tracy Neff, and that this cause is hereby DISMISSED WITH PREJUDICE to refiling of same; and

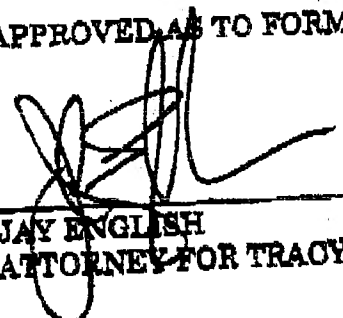
IT IS ORDERED, ADJUDGED AND DECREED in accordance with the agreement of the parties that the making of this settlement for the purpose of avoiding the time, travel and expense of continued investigation and litigation does not constitute and admission of liability on the part of the Defendants as to any cause of action asserted in this litigation.

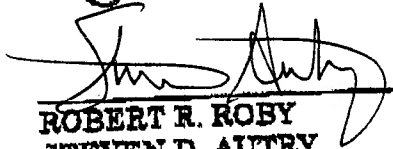
IT IS ORDERED, ADJUDGED AND DECREED that any relief sought herein not expressly granted is hereby DENIED.

SIGNED on the 16<sup>th</sup> day of DECEMBER, 1998.

  
JUDGE PRESIDING

APPROVED AS TO FORM:  JUDGE 3<sup>rd</sup> JUDICIAL DISTRICT COURT SITTING FOR JUDGE  
10<sup>th</sup> JUDICIAL DISTRICT COURT OF DALLAS COUNTY, TEXAS

  
JAY ENGLISH  
ATTORNEY FOR TRACY NEFF

  
ROBERT R. ROBY  
STEVEN D. AUTRY  
ATTORNEYS FOR LANDMARK  
EDUCATION CORPORATION

  
GEORGE MILNER, III  
ATTORNEY FOR DAVID GRILL

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